

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Tue Lor,

Plaintiff,

vs.

ORDER

Jo Anne B. Barnhart, Commissioner  
of Social Security,

Defendant.

Civ. No. 04-4747 (JNE/RLE)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, it is --

ORDERED:

1. That the Plaintiff's Motion [Docket No. 10] for Summary Judgment is denied.
2. That the Defendant's Motion [Docket No. 17] for Summary Judgment is denied.
3. That this matter is remanded to the Commissioner for further proceedings in accordance with this Report.
4. That, pursuant to the holding in Shalala v. Schaefer, 509 U.S. 292 (1993), Judgment is

entered accordingly.

BY THE COURT:

DATED: January 4, 2006.

s/ Joan N. Erickson

Judge Joan N. Erickson  
United States District Court